



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HUWE BURTON,

Plaintiff,

- against -

CITY OF NEW YORK et al.

Defendants.
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20-CV-9025 (AT) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

By Order dated February 10, 2022, the Hon. Analisa Torres, U.S.D.J., referred this matter to me to conduct a Default Hearing and an Inquest concerning Plaintiff's damages with respect to defaulting defendant Stacey Blocker a/k/a Stacey Green ("Defendant Green").¹ (Dkt. 90.) The hearing on default was held on March 31, 2022. Defendant Green did not appear. Accordingly:

1. The Court will schedule a conference with Plaintiff's counsel to discuss (a) the necessity of a hearing vs. determination of damages on the papers; and (b) assuming a hearing is held, the contours of the hearing. Counsel shall be prepared to propose and discuss the evidence it proposes to introduce and the means of doing so. The Court will also discuss with the parties the extent of additional briefing. Defendant Green may join that conference (or any other proceeding in connection with determining damages), the time and means of which will be included in a separate court order.

¹ Defendants City of New York, Frank Viggiano, Stanley Schiffman, Sevelie Jones, Donald Schappert, Eugene Maloney, Detective Bade, and Elisa Koenderman had previously been voluntarily dismissed. (Dkts. 75, 76.)

2. Within 7 days after the hearing (or, if no hearing is held, at such other time as determined by the Court), Plaintiff shall submit his request for attorney's fees, supported by a declaration from one or more attorneys who worked on the case, along with contemporaneous time records showing, for each attorney, the date of service, the hours expended, and the nature of the work performed. The declaration shall also set forth the number of years each attorney has been admitted to the bar, their hourly rate, and any information supporting the reasonableness thereof. Additionally, counsel shall describe the roles played by each attorney and the necessity thereof. Counsel shall also submit invoices or receipts in support of costs.

3. Plaintiff shall serve on Defendant this order within three days of its entry; any other order issued by the Court in connection with the inquest within three days of its entry; and any submission made by Plaintiff in connection with the inquest on the day it is filed. Proof of service shall be served within three days after the date of service. Plaintiff may use any means of service previously approved by the Court for service on Defendant Green in this case.

4. Defendant may appear for the inquest hearing and submit evidence, if one is held, and may file a written submission, so long as it is filed at least seven days before the hearing date or, if no hearing is held, by the date set by the Court.

Dated: April 20, 2022
New York, New York

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal flourish extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE